

# **BROOKINGS COUNTY COMMISSION MEETING**

**Tuesday, November 27, 2007**

The Brookings County Board of County Commissioners met in regular session on Tuesday, November 27, 2007 with the following members present: Don Larson, Mary Negstad, Deanna Santema, Dennis Falken and Emil Klavetter.

## **CALL TO ORDER**

Chairperson Klavetter called the meeting to order.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

## **CONSENT AGENDA**

Chairperson Klavetter declared the Consent Agenda approved with no objection from the board. The Consent Agenda consisted of the agenda for the November 27, 2007 Commission Meeting, and the minutes from the November 20, 2007 Commission Meeting.

Travel/Education: Lionel Torgrude to attend the EVR Training in Pierre, SD from December 5-6, 2007; Rose Stee to attend Program Planning in Sioux Falls, SD on November 27, 2007; Erik Markve to take the SD Appraisal Certification Test in Webster, SD on November 30, 2007.

## **ROUTINE BUSINESS**

Motion by Negstad, seconded by Falken to approve the following claims. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye," Klavetter "Aye." Motion Carried.

ACTION PROCESS SERVING, COURT CASE EXPENSE \$25.60; AGFIRST FARMERS COOP, SUPPLIES & MATERIALS \$182.40; ALLTEL, UTILITIES \$382.08; ANDERSON OIL, FUEL/GASOLINE \$1446.90; AT&T, UTILITIES \$142.20; AURORA AUTO BODY & GLASS, REPAIRS & MAINTENANCE \$85.00; AVERA, PROFESSIONAL SERVICES \$169.50; BCS INCORPORATED, TRAVEL & CONFERENCE \$400.00; BARRON, BRADLEY, TRAVEL & CONFERENCE \$18.00; BRENDE & SCHROEDER, ADULT DEFENSE \$1045.00; BRKGS. CITY UTILITIES, OFFICE MAINTENANCE & UTIL \$400.00; BROOKINGS UTILITIES, UTILITIES \$92.86; BRKGS CO TREASURER, SUPPLIES & MATERIALS \$1829.44; BROOKINGS HEALTH SYSTEM, MEDICAL SERVICE/LIENABLE \$73.62; BROWN AND SAENGER, SUPPLIES & MATERIALS \$148.97; BRUGGER, SUSAN, ADULT DEFENSE \$157.40; BUTLER MACHINERY CO., MACHINERY & EQUIPMENT \$26333.20; C&R SUPPLY, INC., REPAIRS AND MAINTENANCE \$1979.43; CAUGHERTY, JOYCE, TRAVEL \$33.74; CENTRAL BUSINESS SUPPLY, SUPPLIES & MATERIALS \$1474.24; CHEMCO INC, SUPPLIES & MATERIALS \$387.43; CLITES ELECTRIC INC, REPAIRS AND MAINTENANCE \$56.02; CODINGTON COUNTY, TRAVEL & CONFERENCE \$56.00; COURTESY PLUMBING, REPAIRS AND MAINTENANCE \$160.00; CBC INNOVIS, TELEPHONE \$12.00; DELL MARKETING LP, SUPPLIES & N MATERIALS \$1762.70; DEN-WIL INC, RENTAL/COMM. HEALTH \$835.00; EGEBERG, GARY, TRAVEL & CONFERENCE \$48.00; FOERSTER WHOLESALE SUPPLY, SUPPLIES & N MATERIALS \$80.45; FOX, YOUNGBERG & LEWNO, PROFESSIONAL SERV. & FEES \$183.72; GLOVER, ALAN, ADULT DEFENSE \$234.00; HOSMER, DAVID M, ADULT DEFENSE \$3101.27; HOLTER, DAVID, INSPECTION FEES \$44.00; HY-VEE FOOD STORE,

PRISONER RATION \$11029.69; HY-VEE PHARMACY, MEDICINE/RX \$1064.93; INTER-LAKES COMM. ACTION, COMMUNITY WORKER \$750.00; INVENTORY TRADING COMPANY, UNIFORMS/EQUIPMENT \$124.00; JANUS, ALLAN, TRAVEL & CONFERENCE \$169.92; JENSEN, LARRY, TRAVEL & CONFERENCE \$18.00; JENSEN, RANDY J., TRAVEL & CONFERENCE \$28.36; KENNER PLUMBING COMPANY, SUPPLIES & MATERIALS \$34.58; KIDWILER, MARY, TRAVEL & CONFERENCE \$9.25; KLEINJAN, DARREL, TRAVEL & CONFERENCE \$14.06; KNUTSON, DUANE, TRAVEL & CONFERENCE \$3.33; LEARNING ZONEXPRESS, SUPPLIES & MATERIALS \$26.90; LEWIS & CLARK MENTAL, PROFESSIONAL SERV. & FEES \$260.00; LEXISNEXIS, PROFESSIONAL SERV. & FEES \$150.00; LUKONEN, DOUGLAS D, SUPPLIES & MATERIALS \$20.20; LYLE SIGNS, INC., SUPPLIES & MATERIALS \$3634.68; MCCANN, M.E., ADULT DEFENSE \$907.02; MCCARTY, DONALD, ADULT DEFENSE \$1021.82; MCKEEVER'S VENDING, SUPPLIES & MATERIALS \$736.00; MCI, TELEPHONE \$135.51; M&T FIRE & SAFETY INC., SUPPLIES & MATERIALS \$38.75; MASTERCARD, TRAVEL \$784.23; MEADE COUNTY SHERIFF, COURT CASE EXPENSE \$26.80; MEDARY VILLAGE, RENT \$350.00; MEESTER'S AUTO REPAIR, INC, REPAIRS AND MAINTENANCE \$256.85; MID STATES AUDIO INC, REPAIRS AND MAINTENANCE \$110.00; MILLS & MILLER, SUPPLIES & MATERIALS \$5529.30; MILLS PROPERTY MANAGEMENT, REPAIRS AND MAINTENANCE \$4467.62; MINNEHAHA CO. TREAS., MV NOTICES/TAX NOTICES \$78.65; NASASP ASSOC. MEMBERSHIP, PROFESSIONAL SERVICE \$39.00; NACVSO, TRAVEL & CONFERENCE \$30.00; NELSON, DARREL E., TRAVEL & CONFERENCE \$7.03; NORTHWESTERN PUBLIC SERV, UTILITIES/COURTHOUSE \$409.17; OFFICE SYSTEMS INC, REPAIRS AND MAINTENANCE \$873.41; PITNEY-BOWES INC., POSTAGE REIMBURSEMENT FRO \$73.98; QUALIFIED PRESORT, MV NOTICES/TAX NOTICES \$751.77; QWEST, DATABASE SERVICE-US WEST \$470.22; RAMKOTA HOTEL, TRAVEL & CONFERENCE \$146.00; RELIANCE TELEPHONE, INMATE/TELEPHONE \$2000.00; RENTAL DEPOT, THE, REPAIRS AND MAINTENANCE \$107.87; RIBSTEIN, RICK, ADULT DEFENSE \$2821.95; ROBBINS, JEFF, TRAVEL & CONFERENCE \$19.98; ROCHEL, ROBERT, TRAVEL & CONFERENCE \$12.21; SAATHOFF, LAYNE, TRAVEL & CONFERENCE \$17.02; SDACC, CATASTROPHIC LEGAL \$2144.51; SDACO, TRAVEL & CONFERENCE \$63.40; SD DEPT OF HEALTH, PERSONAL SERVICES \$936.00; SD PLANNERS ASSOC., TRAVEL \$160.00; SDSU JOURNALISM DEPT., OFFICE SUPPLIES \$60.00; G4S JUSTICE SERVICES, INC, TRAVEL & CONFERENCE/GRANT \$49.72; SHEPARDSONS HARDWARE HANK, SUPPLIES & MATERIALS \$18.99; SIOUX FALLS TWO WAY RADIO, REPAIR & MAINT. \$495.00; SIOUX VALLEY SOUTHWESTERN, UTILITIES \$210.00; SIOUX VALLEY ENERGY, UTILITIES \$58.00; SOFTWARE SERVICES INC., DATA PROCESSING/SOFTWARE \$2681.25; SWISHER, DAVID, CITIZEN CORP. \$84.00; SPRINT, TELEPHONE \$424.62; STATE MOTEL, TRAVEL & CONFERENCE \$44.95; SWIFTEL CENTER, MULTI-PLEX UPKEEP \$2500.00; TEE'S PLUS, SUPPLIES & MATERIALS \$128.40; TRANA, KRISTIN, TRAVEL & CONFERENCE \$151.92; TSP INC, PROFESSIONAL SERV. & FEES \$10723.85; UBC, SUPPLIES & MATERIALS \$125.70; UNITED STATES POSTAL SERV, POSTAGE REIMBURSEMENT FRO \$500.00; VANDENBERG LAW FIRM, ADULT DEFENSE \$1248.00; VERIZON WIRELESS, TELEPHONE \$195.18; VOGEL, STEPHANIE, TRAVEL & CONFERENCE \$42.92; WAGNER REAL ESTATE, INSPECTION FEES \$1600.00; WEST GROUP, AM'T HELD FOR LAW LIBRARY \$82.50; WIECZOREK, TERRY, ADULT DEFENSE \$285.00; WILLMOTT GRAVEL, SUPPLIES & MATERIALS \$191.55; YANKTON COUNTY TREASURER, PROFESSIONAL SERV. & FEES \$197.10; SCANLAN, DORIS M., JURY & WITNESS \$15.18; KOENIG, SARA H., JURY & WITNESS \$12.96; OVERBY, RICHARD A, JURY & WITNESS \$12.22; RONNING, BRENDA, JURY & WITNESS \$10.74; LATHROP, KELLY, JURY & WITNESS \$20.00; DUNCAN, AMANDA, JURY & WITNESS \$20.00; SCHMIDT, HEATHER, JURY & WITNESS \$20.00; BITTIKER, DONNA, JURY & WITNESS \$10.74; BROWN, DENISE, JURY & WITNESS \$101.48; BUCHENAU, GEORGE, JURY & WITNESS \$10.74; CRAMER, JOHN, JURY & WITNESS \$12.22; DEBLONK, WILLIAM, JURY & WITNESS \$10.74; DEWALD, JILL, JURY & WITNESS \$10.74; EVEN, JEREMY, JURY & WITNESS \$21.10; GANAHL, ELAINE, JURY & WITNESS \$11.48; GRIES, DAVID, JURY & WITNESS \$15.18; HELSPER, MARY, JURY & WITNESS \$102.96; HOWARD, THERESA, JURY & WITNESS \$11.48; JACKSON, MARILYN, JURY & WITNESS \$104.44; JAHN, SARA, JURY & WITNESS \$102.96; JOHNSON, CAROLE, JURY & WITNESS \$16.66; JOHNSON, NORMA, JURY & WITNESS \$12.22; KNUTSON, THOMAS, JURY & WITNESS \$11.48; KRUEGER, EDWARD, JURY & WITNESS \$18.14; KRUSE, BELINDA, JURY & WITNESS \$108.88; LOCKWOOD, CLEO, JURY & WITNESS

\$101.48; MCDANIEL, FLORENCE, JURY & WITNESS \$10.74; MEDIGER, MICHAEL, JURY & WITNESS \$19.62; MURPHY, DAVID, JURY & WITNESS \$122.20; OWENS, LAVONNE, JURY & WITNESS \$101.48; PERKINS, MERLE, JURY & WITNESS \$101.48; PETERSON, THEANNE, JURY & WITNESS \$12.22; PIERE, MICHAEL, JURY & WITNESS \$13.70; PRICE, MINDY, JURY & WITNESS \$10.74; SCHALLER, JOAN, JURY & WITNESS \$11.48; SCHULZ, DARLENE, JURY & WITNESS \$23.32; STROM, CLIFFORD, JURY & WITNESS \$108.88; TAYLOR, WILLIAM, JURY & WITNESS \$119.24; THIELEN, THOMAS, JURY & WITNESS \$22.58; VENESS, CINDY, JURY & WITNESS \$11.48; WESTLEY, BRUCE, JURY & WITNESS \$17.40; WIEBER, DWAIN, JURY & WITNESS \$102.96; UST, DORIS, JURY & WITNESS \$15.18; MEYER, STEVEN, JURY & WITNESS \$15.92.

## **REGULAR BUSINESS**

Motion by Santema, seconded by Negstad to approve and authorize Chairperson Klavetter to sign Agreement #07-34: An Agreement between the State of SD and Brookings County for Community Health Services. Roll Call Vote: Negstad "Aye," Santema "Aye," Falken "Aye," Larson "Aye," Klavetter "Aye." Motion Carried.

Commission Assistant/Human Resources Director, Stephanie Vogel met with the board to discuss correspondence received, personnel matters.

Be it noted, the Board approved the following Personnel Actions: Promotion: Fabian Ysker from Part-Time Correctional Officer to Full-Time Correctional Officer; New Hires: Heather Kulwici-Eckmann, Full-Time Correctional Officer \$12.93; Angela Patterson, Part-Time Correctional Officer \$12.93; Mitchell Vilhauer, Part-Time Correctional Officer \$12.93.

## **COMMISSIONER'S OPEN DISCUSSION**

Commissioner Negstad reported on an ICAP meeting.

Commissioner Larson reported on the SDSU Innovation Campus groundbreaking, the Legislative Update luncheon, Growth Partnership Board meeting, and a Kansas State Association of Counties meeting in Wichita, KS.

Commissioner Santema reported on a BATA meeting, the Courthouse Festival of Lights Open House, and the Youth in Government breakfast.

Commissioner Falken reported on the Youth in Government breakfast.

Commissioner Klavetter reported on the BEDC meeting, and the Youth in Government breakfast.

## **PUBLIC HEARING**

As Scheduled, a second reading on Ordinance #2007-3: An ordinance providing for the amendment of the 1997 Revised Zoning Ordinance was held at 9:00a.m. Zoning & Drainage Office Manager, Richard Haugen discussed the changes to the ordinance in detail with the board members. Chairperson Klavetter opened the public hearing and called for comments from both proponents and opponents. Chairperson Klavetter closed the public hearing.

Motion by Falken, seconded by Santema to approve and authorize Chairperson Klavetter to sign Ordinance #2007-3: An Ordinance providing for amendment of the 1997 Revised Zoning

Ordinance (re-formatting the complete Zoning Ordinance). Roll Call Vote: Santema "Aye," Falken "Aye," Larson "Aye," Negstad "Aye," Klavetter "Aye." Motion Carried.

### **ORDINANCE # 2007- 3**

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE 1997 REVISED ZONING ORDINANCE

WHEREAS, BROOKINGS COUNTY has previously adopted the 1997 Revised Zoning Ordinance; and

WHEREAS, the Brookings County, South Dakota, Board of County Commissioners deems it necessary, for the purpose of promoting the health, safety, and the general welfare of the County, to amend the 1997 Revised Zoning Ordinance.

THEREFORE, BE IT ORDAINED BY BROOKINGS COUNTY, SOUTH DAKOTA, that the 1997 Revised Zoning Ordinance of Brookings County be amended as follows:

SECTION A. That Article I, Short Title and Application, be renamed Article 1.00, Short Title and Application.

SECTION B. That Article II, Definitions, be renamed Article 2.00, Definitions.

SECTION C. That Article III, Establishment of Districts, be renamed Article 3.00, Establishment of Districts.

SECTION D. That Article IV, Non-conforming Uses or Lots of Record, be renamed Article 4.00, Non-conforming Uses or Lots of Record.

SECTION E. That Article V, County Zoning Commission, Appeals, Variance and Conditional Uses, be renamed Article 5.00, County Zoning Commission, Appeals, Variance and Conditional Uses.

SECTION F. That Article VI, Duties of County Zoning Officer, Board of County Commissioners, and Courts on Matters of Appeal, be renamed Article 6.00, Duties of County Zoning Officer, Board of County Commissioners, and Courts on Matters of Appeal.

SECTION G. That Article VII, Schedule of Fees, Charges and Expenses, be renamed Article 7.00, Enforcement.

SECTION H. That Article VIII, Enforcement, be renamed Article 8.00, Schedule of Fees, Charges and Expenses.

SECTION I. That Article IX, Amendments, be renamed Article 9.00, Legal Status Provisions.

SECTION J. That Article X, Legal Status Provisions, be renamed Article 10.00, Amendments.

SECTION K. That Article XI, Zoning Districts/Agricultural, be renamed Article 11.00, Agricultural Districts.

SECTION L. That Article XI, Zoning Districts/Commercial/Industrial, be renamed Article 12.00, Commercial/Industrial Districts.

SECTION M. That Article XI, Zoning Districts/Lake Park, be renamed Article 13.00, Lake Park Districts.

SECTION N. That Article XI, Zoning Districts/Natural Resource, be renamed Article 14.00, Natural Resource Districts.

SECTION O. That Article XI, Zoning Districts/Flood Damage Prevention, be renamed Article 15.00, Flood Damage Prevention.

SECTION P. That Article XI, Zoning Districts/Aquifer Protection, be renamed Article 16.00, Aquifer Protection.

SECTION Q. That Article XII, General Requirements/Screening, Vision Clearance on Corner Lots, Refuse, Unlicensed Vehicles, Moved in Buildings and Minimum Water and Sewer Requirements, be renamed Article 17.00, General Requirements.

SECTION R. That Article XII, General Requirements/ Minimum Mobile/Manufactured Home Requirements, be renamed Article 18.00, Minimum Mobile/Manufactured Home Requirements.

SECTION S. That Article XII, General Requirements/ Shelterbelt Setback Requirements, be renamed Article 19.00, Shelterbelt Setback Requirements.

SECTION T. That Article XII, General Requirements/Home Occupations, be renamed Article 20.00, Home Occupations.

SECTION U. That Article XII, General Requirements/Extended Home Occupations, be renamed Article 21.00, Extended Home Occupations.

SECTION V. That Article XII, General Requirements/Concentrated Animal Feeding Operation, be renamed Section 22.00, Concentrated Animal Feeding Operation.

SECTION W. That Article XII, General Requirements/Wind Energy System (WES) Requirements, be renamed Article 23.00, Wind Energy System (WES) Requirements.

SECTION X. In all respects the 1997 Revised Zoning Ordinance shall remain unchanged and is hereby re-ordained.

FIRST READING: November 20, 2007

SECOND READING: November 27, 2007

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Chairperson, Brookings County  
Board of County Commissioners

ATTEST:

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Brookings County Auditor

## **ADJOURNMENT**

There being no further business, Chairperson Klavetter declared the regular meeting adjourned until 8:30am Tuesday, December 4, 2007.

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans with Disabilities Act.

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Krista Spence  
Deputy Auditor  
Brookings County Auditor's Office